

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DONALD SMITH

VS.

JOHN SOULES FOODS, INC.

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CA NO. 6:21-cv-0008-JCB-JDL

**PLAINTIFF DONALD SMITH AND DEFENDANT JOHN SOULES FOODS, INC.'S
JOINT STIPULATION OF DISMISSAL**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COMES NOW Plaintiff DONALD SMITH (“Plaintiff”), by and through his attorney of records William S. Hommel, Jr. and the Hommel Law Firm, and Defendant JOHN SOULES FOODS, INC., by and through their attorney of record, Ms. Carolyn Russell and the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. to file this Stipulation of Dismissal in the above-referenced civil action

The above-referenced civil action has been resolved. As a result, Plaintiff no longer wishes to pursue the litigation. All parties respectfully request that the above-referenced civil action be dismissed, with prejudice. All parties wish to dismiss the lawsuit with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure with the stipulation that the Court will maintain jurisdiction over the case until the final settlement payment is made.

WHEREFORE, ABOVE PREMISES CONSIDERED, Plaintiff and Defendant respectfully that the above-referenced civil action be dismissed with prejudice. All attorney’s fees, expenses, and court costs related to this litigation should be paid by the party incurring same.

Respectfully submitted,

/s/ William S. Hommel, Jr.
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing is being served on counsel for Defendant via electronic filing on the 9th day of August, 2021.

/s/ William S. Hommel, Jr.
William S. Hommel, Jr.